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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

HUGO MARTINEZ and CLAUDIA
MARTINEZ,

Plaintiffs,

v.

BUTCH JOHNSON, WILLIAM A. MARK
and JOHNSON MARK LLC,

Defendants.

**CROSS MOTION FOR SUMMARY
JUDGMENT**

Case No.: 2:11-cv-00157-DN

Judge:

Magistrate Judge: David Nuffer

(Oral Argument Requested)

Pursuant to Rule 7 and 56 of the Federal Rules of Civil Procedure, Defendants Butch Johnson, William A. Mark and Johnson Mark LLC hereby moves the Court for summary judgment on all claims of the Plaintiffs. The reasoning behind this request is set forth in the accompanying memorandum of points and authorities and the supporting affidavits.

DATED this 7th day of October 2011

**SCALLEY READING BATES
HANSEN & RASMUSSEN, P.C.**

A handwritten signature in black ink, reading "S. Grace Acosta". The signature is fluid and cursive, with a large initial "S" and a stylized "A" at the end.

S. GRACE ACOSTA
Attorneys Defendants

CERTIFICATE OF SERVICE

Pursuant to UTAH R. CIV. P. 5, the undersigned hereby certifies that on the date indicated below a true and correct copy of the foregoing **CROSS MOTION FOR SUMMARY JUDGMENT** was served by the method indicated below to the following:

Brian Steffensen
448 East 400 South Suite 100
Salt Lake City UT 84111

Attorney for Plaintiff

☒ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☐ E-Mail

Bill Mark
Johnson Mark LLC
11778 S. Election Drive, Suite 240
Draper, UT 84020-6808

☐ U.S. Mail, Postage Prepaid
☐ Hand Delivered
☐ Overnight Mail
☐ Facsimile
☒ E-Mail

DATED this 7 day of October 2011.

**SCALLEY READING BATES
HANSEN & RASMUSSEN, P.C.**


Melissa Miller